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Notice of Allowability	Application No.	Applicant(s)	
	10/762,700	ADAM BARRY ET AL.	
	Examiner	Art Unit	
	Susan F. Rayyan	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/6/2007.
2. ☒ The allowed claim(s) is/are 1,2,4,5,7-10,12,13,15-17,19,21,22 and 24-32, now renumbered as claims 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
|--|---|

Susan Rayyan
November 18, 2007

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Gerald Glanzman, Registration Number 25,035, on November 17, 2007.

The application has been amended as follows:

Claims

Canceled claims 5-6.

In claim 1,

Line 16 after "ratings" inserted -- wherein said processor is further configured for updating ones of said first set of ratings by calculating, for each of said ones of said first set of ratings updated, a new weighted rating based on an existing weighted rating from said first set of ratings, an existing weighted rating from said second set of ratings, and a similarity factor between said first set of ratings and said second set of ratings--

In claim 10,

Line 12 after "ratings" inserted -- wherein the updating is further configured for updating ones of said first set of ratings by calculating, for each of said ones of said first set of ratings updated, a new weighted rating based on an existing weighted rating from said first set of ratings, an existing weighted rating from said second set of ratings, and a similarity factor between said first set of ratings and said second set of ratings--

In claim 19,

Line 1 after "readable" inserted -- storage--

Line 13 after "ratings" inserted -- wherein the updating is further configured for updating ones of said first set of ratings by calculating, for each of said ones of said first set of ratings updated, a new weighted rating based on an existing weighted rating from said first set of ratings, an existing weighted rating from said second set of ratings, and a similarity factor between said first set of ratings and said second set of ratings--

2. The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, prior art of record does not teach a device for collecting ratings on a plurality of subjects, said device including wherein said processor is further configured for updating ones of said first set of ratings by calculating, for each of said ones of said first set of ratings updated, a new weighted rating based on an existing weighted rating from said first set of ratings, an existing weighted rating from said second set of ratings, and a similarity factor between said first set of ratings and said second set of ratings.

Regarding independent claim 10, prior art of record does not teach a method of collecting ratings on a plurality of subjects, said method including wherein said processor is further configured for updating ones of said first set of ratings by calculating, for each of said ones of said first set of ratings updated, a new weighted rating based on an existing weighted rating from said first set of ratings, an existing weighted rating from said second set of ratings, and a similarity factor between said first set of ratings and said second set of ratings.

Regarding independent claim 19, prior art of record does not teach a computer program product stored on a computer readable storage medium, said computer program product comprising collecting ratings on a plurality of subjects, said method including wherein said processor is further configured for updating ones of said first set of ratings by calculating, for each of said ones of said first set of ratings updated, a new weighted rating based on an existing weighted rating from said first set

of ratings, an existing weighted rating from said second set of ratings, and a similarity factor between said first set of ratings and said second set of ratings.

3. Claims 1-2, 4,7-10, 12-13, 15-17, 19, 21-22, 24-32 are allowed.
4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Contact Information


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan F. Rayyan whose telephone number is 571-272-1675. The examiner can normally be reached on M-F, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2167

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Susan Rayyan
November 19, 2007


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